

***DRAFT—Consolidated Chapter 23 and
Finalized Alternative Management Standards for Universal Waste Electronic
Devices***

Summary Table of Proposed Amendments

**Department of Toxic Substances Control
Reference Number R-2006-02**

Section (Existing)	Section (Emergency)	Section (Proposed)	Summary of Proposed Amendment(s)
66260.10	66260.10	66260.10	Various definitions are added to chapter 10, including: cathode ray tube, electronic device and mercury-containing motor vehicle light switch. This change will provide the same meaning to those terms, as used in 66261.9 ¹ , as was previously adopted in chapter 23.
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Did not exist	66260.201	66260.201	This section is adopted essentially as it was modified by the third emergency regulation package.
Did not exist	66260.202 (R-2006-05)	66260.202	This section adopts the emergency version of the prohibition on the sale of covered electronic devices that are prohibited by the EU RoHS directive due to their metal content. It also adopts the European Union's maximum concentration value (MCV), exemptions. Subsection (e) exempts covered electronic devices that use metals for the purpose of meeting a health and safety requirement.
66261.4	NA	66261.4	Amendments make consistent this exclusion language with M-listed waste language.
66261.9	66261.9	66261.9	The amendment shortens the list of universal wastes (UWs) by consolidating the mercury-containing wastes under "(a)(3), Mercury-containing equipment." This regulation will now be the same as the federal rule (except for the section number). "Cathode ray tubes" and "cathode ray tube glass" are added as UW categories.

¹ For the purposes of this document all references to regulatory citations are to the California Code of Regulations, title 22, division 4.5, unless otherwise specified.

Section (Existing)	Section (Emergency)	Section (Proposed)	Summary of Proposed Amendment(s)
Article 4.1 (66261.50)	NA	Article 4.1 (66261.50)	Amendments remove implementation dates and add clarifying language under M002 listings that these non-automotive switches meet the listing criteria when a person decides to crush, bale, shred or shear the device. This change makes M001 and M002 listing consistent. This amendment is also necessary for consistency with the new 66273.4 applicability section for the "mercury-containing equipment" category. Removes the liquid crystal display (LCD) exclusion in M003 listing so that this language is consistent with the SB 50 covered electronic devices (CEDs) listed in Appendix X.
Did not exist	Ch. 11, App. X, subsec.(c)	Ch. 11, App. X, subsec.(c)	This section adopts the list as referenced in SB 50. The list is adopted essentially as it exists under the emergency regulations, including the second emergency regulations and the addition of DVD players with LCD screen. Text is added to clarify that LCD projection and plasma projection televisions are not covered in the listing.
66264.1	NA	66264.1	Clarifying language has been added to ensure that universal waste handlers manage universal waste pursuant to chapter 23.
66265.1	NA	66265.1	Clarifying language has been added to ensure that universal waste handlers manage universal waste pursuant to chapter 23.
66273.1	66273.1	66273.1	The amendment shortens the list of UWs by consolidating the mercury-containing wastes under "(a)(3), Mercury-containing equipment." This regulation will now be the same as the federal (except for the section number). "Cathode ray tubes" and "cathode ray tube glass" are added as UW categories.
66273.2	66273.2	66273.2	Only minor changes for consistency across sections.
66273.3	66273.3	66273.3	Only minor changes for consistency across sections to change "consumer electronic device" to "electronic device." Also, adds clarifying language that when a previously identified UWED is no longer a waste (e.g., refurbished), the person who makes that decision apply must make that demonstration pursuant to 66261.6(g) (i.e., no known market, known disposition of product, intended reuse same as original use).
66273.4	66273.4	66273.4	This section is amended to remove "thermostats" and incorporate the "mercury-containing equipment" category. This section now defines what constitutes "mercury-containing equipment."
66273.5	66273.5	66273.5	Only minor changes for consistency across sections.

Section (Existing)	Section (Emergency)	Section (Proposed)	Summary of Proposed Amendment(s)
66273.6	66273.6	66273.6	This section is amended to delete the UW category, "CRT materials" and create the UW category, "cathode ray tubes."
Did not exist	Did not exist	66273.7	This section is created to designate the UW category, "cathode ray tube glass" with the same construct as "cathode ray tube" section.
66273.7.1	66273.7.1	Will not exist	Repealed - Consolidated and relocated into 66273.4.
66273.7.2	66273.7.2	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.3	66273.7.3	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.4	66273.7.4	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.5	66273.7.5	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.6	66273.7.6	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.7	66273.7.7	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.8	66273.7.8	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.9	66273.7.9	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.10	66273.7.10	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.8	66273.8	66273.8	This section is amended to: <ul style="list-style-type: none"> a) remove the expired text regarding the temporary disposal exemptions; b) clarify the household exemption, and provide provisions consistent with HSC² sections 25218.1-25218.5 for curbside collection of UW generated by households and CESQUWGs; and c) clarify the CESQUWG exemption.
66273.9	66273.9	66273.9	Various definitions are added to or amended in this section for use in chapter 23, including: ampule, closure, closure plan, current cost closure estimate, electronic device, foreign destinations, household, identification number, management, mercury-added lamp, mercury-containing equipment, and treatment. These changes will provide missing definitions, and will have the same meanings as the identical terms used throughout and defined elsewhere in division 4.5.
66273.10	66273.10	Will not exist	Repealed - Consolidated and relocated into 66273.30
66273.11	66273.11	Will not exist	Repealed - Consolidated and relocated into 66273.31
66273.12	66273.12	Will not exist	Repealed- Consolidated and relocated into 66273.32
66273.13	66273.13	Will not exist	Repealed Mercury-containing equipment standards are consolidated in 66273.33 and are based on the federal rule for the same universal waste category. Electronic device standards are relocated to 66273.33.5 and to article 7 for authorized treatment standards.

² California Health and Safety Code

Section (Existing)	Section (Emergency)	Section (Proposed)	Summary of Proposed Amendment(s)
66273.14	66273.14	Will not exist	Repealed- Consolidated and relocated into 66273.34 Labeling for mercury-containing equipment changed to reflect the federal rule.
66273.15	66273.15	Will not exist	Repealed - Consolidated and relocated into 66273.35
66273.16	66273.16	Will not exist	Repealed - Consolidated and relocated into 66273.36
66273.17	66273.17	Will not exist	Repealed - Consolidated and relocated into 66273.37
66273.18	66273.18	Will not exist	Repealed - Consolidated and relocated into 66273.38
66273.19	66273.19	Will not exist	Repealed - Consolidated and relocated into 66273.39
66273.20	66273.20	Will not exist	Repealed - Consolidated and relocated into 66273.40
66273.21	66273.21	Will not exist	Repealed - Relocated to 66273.33(c)
66273.30	66273.30	66273.30	Only minor changes; new Article 3 “Standards for Universal Waste Handlers”
66273.31	66273.31	66273.31	Only minor changes; adds clarifying language that a universal waste handler may send or take batteries, thermometers, mercury-containing novelties containing liquid mercury, and mercury-containing rubber flooring [which are typically generated by households] to a destination facility for disposal.
66273.32	66273.32	66273.32	The amendments to this section consolidate the notification and annual reporting requirements for handlers of electronic devices from the emergency language in 66273.13/33(d)(1) and (2), and from existing language for CRTs in 66273.82. Adds the requirement that an ID Number be obtained for universal waste handlers who accumulate 5,000kg of universal wastes that are non-RCRA hazardous wastes (i.e. a state ID Number). Includes amendments to allow for electronic submittal of notification and reporting information via DTSC’s web-based reporting system.
66273.33	66273.33	66273.33	The amendments to this section consolidate the existing standards for handlers of: batteries from 66273.13/33(a), lamps from 66273.133/33(c), thermostats from 66273.13/33(b), and for all of the mercury containing equipment from 66273.13/33(e) through (l) into 66273.33(a), (b), and (c).

Section (Existing)	Section (Emergency)	Section (Proposed)	Summary of Proposed Amendment(s)
Did not exist	Did not exist	66273.33.5	This section is added to consolidate all of the "E-waste" standards into one section to implement SB 50. The existing standards for handlers are relocated and consolidated for electronic devices from 66273.13/33(d), and for CRTs and CRT glass from 66273.83(a) to 66273.33.5(a), (b), and (c), respectively. Amendments to packaging requirements to change "sufficient" to "adequate" for purposes of CRT containerization. This change will accommodate existing practices and maintains the performance standard to "prevent" breakage. Minor clarifying language is added to provide a clearer standard for "immediate" cleanup (i.e., necessary for releases that are reasonably expected to cause a release to the environment).
66273.34	66273.34	66273.34	Only minor changes The alternative labeling standards for designated accumulation areas from 66273.84(d) and 66273.13/33(d) are relocated to this section.
66273.35	66273.35	66273.35	This section is amended to remove the extension provisions from the one-year accumulation limit requirement.
66273.36	66273.36	66273.36	66273.36 contains the Personnel Training requirements and is amended to: <ul style="list-style-type: none"> 1) provide guidance on the nature of the training required, 2) require initial and annual training, and 3) require employers to document the training (e.g., training records) These general standards exist for CRT material handlers, but are new for all UW handlers.
66273.37	66273.37	66273.37	Only minor changes
66273.38	66273.38	66273.38	Only minor changes

Section (Existing)	Section (Emergency)	Section (Proposed)	Summary of Proposed Amendment(s)
66273.39	66273.39	66273.39	Only minor changes
66273.40	66273.40	66273.40	<p>This section consolidates the export requirements and includes amendments for consistency with the new federal rules on exporting certain CRTs, CRT devices, and CRT glass.</p> <p>The existing standards for handlers who export CRTs are relocated to this section from 66273.90. The existing standards for handlers who export electronic devices and other universal wastes are relocated to this section from 66273.20/40.</p> <p>An amendment is incorporated from the emergency regulations regarding PRC³ notifications for exports. The notification timeframe has been amended from four (4) weeks to 60 calendar days for consistency with the new federal export rule and with PRC notification provisions.</p>
66273.41	66273.41	66273.41	This section consolidates the foreign import requirements for all universal wastes. The existing standards for handlers who import universal waste are relocated from 66273.70.
66273.50	66273.50	66273.50	Only minor changes (article numbering)
66273.51	66273.51	66273.51	Only minor changes; includes amendments identical to CRT prohibition language on packaging requirements for shipments of UWEDs.
66273.52	66273.52	66273.52	Only minor changes
66273.53	66273.53	66273.53	Only minor changes
66273.54	66273.54	66273.54	Only minor changes
66273.55	66273.55	66273.55	Only minor changes
66273.56	66273.56	66273.56	<p>Only minor changes</p> <p>An amendment is incorporated from the emergency regulations regarding PRC notifications for exports.</p>
66273.60	66273.60	66273.60	<p>Only minor changes</p> <p>Amendments clarify that permitted facilities that recycle universal waste are not eligible to perform certain "authorized treatment" as UW handlers.</p> <p>Amendments also will allow certain destination facilities to use certain UW management activities (i.e., storage) prior to treatment of the universal wastes that are non-RCRA hazardous waste.</p>
66273.61	66273.61	66273.61	Only minor changes
66273.62	66273.62	66273.62	Only minor changes

³ California Public Resources Code

Section (Existing)	Section (Emergency)	Section (Proposed)	Summary of Proposed Amendment(s)
66273.70	66273.70	66273.70	Imports relocated to 66273.41. New article: "Authorization Requirements for Universal Waste Handlers Who Treat Universal Wastes" The amendments to this section delineate the various types of authorized treatment and reference the appropriate sections to find the authorization requirements for each type of universal waste. Requirements in this section were previously located in existing regulations 66273.83(c), 66273.13/33(g), 66273.13/33(b) and (e), and from emergency regulations in 66273.13/33(d).
Did not exist	Did not exist	66273.71	This new section specifies the authorization requirements for <u>handlers who conduct removal activities</u> . These requirements were located in emergency regulations section 66273.13/33(d)(3)(A).
Did not exist	Did not exist	66273.72	This new section specifies the authorization requirements for <u>handlers who disassemble or drain</u> UWs. These sections are relocated from existing regulations 66273.83(b), 66273.13/33(b), (g) and (e), and from emergency regulations 66273.13/33(d)(3)(B).
Did not exist	Did not exist	66273.73	This new section specifies the authorization requirements for <u>handlers who treat</u> universal wastes. These sections are relocated from existing regulations 66273.83(c), and from emergency regulations 66273.13/33(d)(3)(C) and (d)(3)(D).
Did not exist	Did not exist	66273.74	This new section specifies the notification, annual reporting and record keeping requirements for persons who treat electronic devices and CRTs. These requirements are consolidated from the existing and emergency sections referenced in sections 66273.71/72/73 (above).
Did not exist	Did not exist	66273.75	This new section specifies the treatment standards for universal waste handlers. These requirements were relocated from the existing and emergency sections referenced in the section 66273.73 description (above).
Did not exist	Did not exist	66273.76	This section specifies the requirements for universal waste handlers who treat universal wastes to prepare closure plans and cost estimates for closure, and for modifying these documents when necessary. This section also requires financial responsibility (FR) for liability and financial assurance (FA) for closure.

Section (Existing)	Section (Emergency)	Section (Proposed)	Summary of Proposed Amendment(s)
Did not exist	Did not exist	66273.77	This new section addresses closure of universal waste treatment facilities. These requirements are new for all universal waste handlers who treat universal wastes, and are also similar to existing language for closure activities for CRT material recyclers [existing section 66273.83(c)(1)(A)].
66273.80	66273.80	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.81	66273.81	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.82	66273.82	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.83	66273.83	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.84	66273.84	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.85	66273.85	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.86	66273.86	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.87	66273.87	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.88	66273.88	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.89	66273.89	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements
66273.90	66273.90	Will not exist	Repealed and Consolidated – CRT Material Handler Requirements